

Report Date: August 18, 2022

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Aug 22, 2022**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Javier Rodriguez Tijerina, Jr. Case Number: 0980 2:19CR00115-RMP-1

Address of Offender: [REDACTED] Spokane, Washington 99201

Name of Sentencing Judicial Officer: The Honorable Michael W. Mosman, U.S. District Judge

Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, Senior U.S. District Judge

Date of Original Sentence: March 17, 2016

Original Offense: Assault Resulting in Serious Bodily Injury, 18 U.S.C. § § 113(a)(6), 7(3) and 2

Original Sentence: Prison - 46 months; Type of Supervision: Supervised Release
TSR - 36 monthsRevocation Sentence Prison - 2 months;
(July 8, 2021) TSR - 34 months

Asst. U.S. Attorney: George J.C. Jacobs, III Date Supervision Commenced: October 21, 2021

Defense Attorney: Katherine Patricia Lucido Date Supervision Expires: August 20, 2024

PETITIONING THE COURT

To issue a warrant.

On October 28, 2021, the undersigned officer reviewed the conditions of supervision with Mr. Tijerina. He signed his judgment acknowledging that he understood his conditions of supervision.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1

Standard Condition #13: You must follow the instructions of the probation officer related to the conditions of supervision.**Supporting Evidence:** It is alleged Mr. Tijerina is in violation of his conditions of supervised release by failing to report to the U.S. Probation Office as directed on August 17, 2022.

On August 15, 2022, the undersigned officer attempted to make contact with Mr. Tijerina at his approved residence and no one appeared to be home. The undersigned officer left a business card in the door with instructions directing Mr. Tijerina to report to the probation office at 9 a.m., on August 17, 2022. Mr. Tijerina failed to report as directed.

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2 **Standard Condition #5:** You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.

Supporting Evidence: It is alleged Mr. Tijerina is in violation of his conditions of supervised release by failing to notify the undersigned officer of a change in his residence on or around August 5, 2022.

On August 17, 2022, the undersigned officer spoke with the primary resident at Mr. Tijerina's approved residence. She reported she has not seen the offender in approximately 3 weeks and his whereabouts are unknown.

3 **Special Condition #5:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month in order to confirm continued abstinence from these substances.

Supporting Evidence: It is alleged Mr. Tijerina is in violation of his conditions of supervised release by failing to report for urinalysis testing as directed on August 11 and 16, 2022.

On August 5, 2022, the undersigned officer informed Mr. Tijerina that he would be placed on the color line for urinalysis testing at Pioneer Human Services (PHS). He was assigned the color brown and instructed to call the color line daily and when his color brown was called, he was to report to PHS and submit to urinalysis testing between 7 a.m. and 7 p.m. He was also provided this information in writing.

On August 11 and 16, 2022, the color of the day for urinalysis testing at PHS was brown, Mr. Tijerina's assigned color for urinalysis testing. Mr. Tijerina failed to appear for urinalysis testing on both days.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: August 18, 2022

s/Corey M. McCain

Corey M. McCain
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other

A handwritten signature in cursive script, reading "Rosanna Maloy Peterson", written over a horizontal line.

Signature of Judicial Officer

8/22/2022

Date